

### **§ 60.33e**

which construction was commenced on or before June 20, 1996.

(b) A combustor is not subject to this subpart during periods when only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste (all defined in §60.51c) is burned, provided the owner or operator of the combustor:

(1) Notifies the Administrator of an exemption claim; and

(2) Keeps records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste is burned.

(c) Any co-fired combustor (defined in §60.51c) is not subject to this subpart if the owner or operator of the co-fired combustor:

(1) Notifies the Administrator of an exemption claim;

(2) Provides an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or wastes to be combusted; and

(3) Keeps records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

(d) Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act is not subject to this subpart.

(e) Any combustor which meets the applicability requirements under subpart Cb, Ea, or Eb of this part (standards or guidelines for certain municipal waste combustors) is not subject to this subpart.

(f) Any pyrolysis unit (defined in §60.51c) is not subject to this subpart.

(g) Cement kilns firing hospital waste and/or medical/infectious waste are not subject to this subpart.

(h) Physical or operational changes made to an existing HMIWI unit solely for the purpose of complying with emission guidelines under this subpart are not considered a modification and do not result in an existing HMIWI unit becoming subject to the provisions of subpart Ec (see §60.50c).

(i) Beginning September 15, 2000, or on the effective date of an EPA approved operating permit program under Clean Air Act title V and the imple-

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menting regulations under 40 CFR part 70 in the State in which the unit is located, whichever date is later, designated facilities subject to this subpart shall operate pursuant to a permit issued under the EPA-approved operating permit program.

#### **§ 60.33e Emission guidelines.**

(a) For approval, a State plan shall include the requirements for emission limits at least as protective as those requirements listed in Table 1 of this subpart, except as provided for in paragraph (b) of this section.

(b) For approval, a State plan shall include the requirements for emission limits at least as protective as those requirements listed in Table 2 of this subpart for any small HMIWI which is located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area (defined in §60.31e) and which burns less than 2,000 pounds per week of hospital waste and medical/infectious waste. The 2,000 lb/week limitation does not apply during performance tests.

(c) For approval, a State plan shall include the requirements for stack opacity at least as protective as §60.52c(b) of subpart Ec of this part.

#### **§ 60.34e Operator training and qualification guidelines.**

For approval, a State plan shall include the requirements for operator training and qualification at least as protective as those requirements listed in §60.53c of subpart Ec of this part. The State plan shall require compliance with these requirements according to the schedule specified in §60.39e(e).

#### **§ 60.35e Waste management guidelines.**

For approval, a State plan shall include the requirements for a waste management plan at least as protective as those requirements listed in §60.55c of subpart Ec of this part.

#### **§ 60.36e Inspection guidelines.**

(a) For approval, a State plan shall require that each small HMIWI subject to the emission limits under §60.33e(b) undergo an initial equipment inspection that is at least as protective as